



WASHINGTON STATE LEGISLATURE



Legislative Digest No. 12

FIFTY-NINTH LEGISLATURE

Wednesday, January 25, 2006

17th Day - 2006 Regular Session

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This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2006>.

House Bills

HB 1986-S by House Committee on Higher Education & Workforce Education (originally sponsored by Representatives Roberts, Buri, Kenney, Cox, and Morrell)

Requiring a review of tuition waivers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that insofar as tuition waivers have a fiscal impact to the state general fund and to the institutions of higher education, it is in the best interests of the state to undertake a periodic review of tuition waiver statutes in order to examine whether the various waivers are still consistent with the state's priorities in serving its citizens.

Requires the higher education coordinating board to review the current waivers at the state's institutions of higher education and develop recommendations for prioritization of waiver authority. The board shall report to the appropriate committees of the legislature by December 1, 2006, on recommendations for prioritization, including repeal, consolidation, standardization, or other changes to current statutes.

-- 2006 REGULAR SESSION --

Jan 20 HEWE - Majority; 1st substitute bill be substituted, do pass.

Jan 24 Passed to Rules Committee for second reading.

HB 2339-S by House Committee on Financial Institutions & Insurance (originally

sponsored by Representatives Kirby, Roach, and Chase; by request of Department of Financial Institutions)

Regulating business development companies and the participation of financial institutions and nondepository lenders in economic development within the state.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to business development companies and the participation of financial institutions and nondepository lenders in economic development within the state.

Repeals RCW 31.24.040, 31.24.050, 31.24.060, and 31.24.180.

-- 2006 REGULAR SESSION --

Jan 18 FII - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Jan 23 Passed to Rules Committee for second reading.

HB 2342-S by House Committee on Health Care (originally sponsored by Representatives Moeller, Appleton, Nixon, Hunt, Curtis, Lantz, Morrell, Springer, Wallace, Fromhold, Kagi, Roberts, Cody, Ericks, Green, and Ormsby)

Establishing a health care declarations registry.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to establish an electronic registry to improve access to health care decision-making documents. The registry would support, not supplant, the current systems for advance directives and mental health advance directives by improving access to these documents.

Declares an intent that the registry would be consulted by health care providers in every instance where there may be a question about the patient's wishes for periods of incapacity and the existence of a document that may clarify a patient's intentions.

Directs the department of health to establish and maintain a statewide health care declarations registry containing the health care declarations identified in this act as submitted by residents of Washington. The department shall digitally reproduce and store health care declarations in the registry. The department may establish standards for individuals to submit digitally reproduced health care declarations directly to the registry, but is not required to review the health care declarations that it receives to ensure they comply with the particular statutory requirements applicable to the document.

Provides that any physician, advanced registered nurse practitioner, health care provider acting under the direction of a physician or an advanced registered nurse practitioner, or health care facility, as defined in chapter 70.122 RCW or in chapter 71.32 RCW, and its personnel who make a good faith health care decision in reliance on the provisions of an apparently genuine and valid health care declaration received from the registry shall be immune from legal liability, including civil, criminal, or professional conduct sanctions, unless the physician, health care provider, or health care facility and its personnel have actual knowledge that the declaration has been changed, revoked, or is legally invalid or is otherwise negligent.

Provides that, except for acts of gross negligence, willful misconduct, or intentional wrongdoing, the department of health is not subject to civil liability for any claims or demands arising out of the administration or operation of the health care declarations registry established in this act.

-- 2006 REGULAR SESSION --

Jan 20 HC - Majority; 1st substitute bill be substituted, do pass.

Jan 24 Referred to Appropriations.

HB 2368-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives B. Sullivan, Jarrett, Morris, and Springer)

Authorizing development rights demonstration projects.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that it is in the best interest of the state to find innovative and economically sustainable ways to protect the state's dwindling natural resource lands from development or other conversion from working lands or wildlife habitat.

Finds that working natural resource and wildlife habitat lands can be conserved through properly functioning transfer of development rights programs. However, to be successful, a transfer of development rights program must be established in a fashion that facilitates an economically robust market in which development credits from natural resource lands are in demand and can be traded openly in a market.

Finds that a number of geographically limited demonstration projects should be established to create a template for the protection of natural resources that can be emulated by other areas within the state.

Provides that the act shall be null and void if appropriations are not approved.

-- 2006 REGULAR SESSION --

Jan 19 NREP - Majority; 1st substitute bill be substituted, do pass.

Jan 23 Referred to Appropriations.

HB 2399-S by House Committee on Health Care (originally sponsored by Representatives Cody, Morrell, Green, and Schual-Berke)

Providing a survey for health care providers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department, in collaboration with the work force training and education coordinating board, to distribute survey questions for the purpose of gathering data related to work force supply and demographics to all health care providers who are credentialed by a disciplining authority under RCW 18.130.040. The department may adopt a schedule for distributing surveys by profession so that each profession is surveyed every two years. In developing the survey, the department may seek advice from researchers that are likely to use the survey data.

Requires the department to process the surveys that it receives in such a way that the identity of individual providers remains confidential. Data elements related to the identification of individual providers are confidential and are exempt from RCW 42.56.040 through 42.56.570 and 42.17.350 through 42.17.450, except as provided in a data-sharing agreement approved by the department pursuant to this act.

-- 2006 REGULAR SESSION --

Jan 20 HC - Majority; 1st substitute bill be substituted, do pass.

Jan 24 Referred to Appropriations.

HB 2401-S by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris and B. Sullivan)

Developing regional compacts for siting transmission lines.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to create a regional process for the siting of new electric transmission lines related to the national energy policy act of 2005. This regional process will facilitate the siting of new cross borders electric transmission lines by providing a "one stop" licensing process. This act calls for the creation of a legislative task force to establish an interstate compact to assert jurisdiction over national interest electric transmission corridors.

-- 2006 REGULAR SESSION --

Jan 20 TEC - Majority; 1st substitute bill be substituted, do pass.

Jan 24 Passed to Rules Committee for second reading.

HB 2498-S by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Kilmer, Buri, Morrell, Skinner, Green, Linville, McCoy, Moeller, Chase, Rodne, Conway, Haler, Morris, Ericks, and Sells)

Establishing an industry cluster-based approach to economic development.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to establish an industry cluster-based approach to economic development as a component of a statewide strategy to address economic growth and quality of life issues.

Directs the department of community, trade, and economic development, or its successor agency, to work

with industry associations and organizations to identify industry clusters on a regional and statewide basis. The industry clusters may include, but are not limited to, aerospace, agriculture, food processing, forest products, business services, financial services, health and biomedical, software, transportation and distribution, and microelectronics.

Appropriates the sum of six hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the department of community, trade, and economic development for the purposes of this act.

-- 2006 REGULAR SESSION --

- Jan 18 APP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Jan 20 Referred to Appropriations.

HB 2527-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Nixon and Talcott)

Concerning the periodic increment date for state employees returning to work after military service.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs each agency to allow state employees, called to active duty with any branch of the United States military, to return to work with credit for the periodic increment date for that time served on active military duty. For purposes of this provision, "periodic increment date" has the same meaning as defined in WAC 357-28-050 as it exists on the effective date of this act.

-- 2006 REGULAR SESSION --

- Jan 20 SGOA - Majority; 1st substitute bill be substituted, do pass.
Jan 24 Placed on second reading.

HB 2546-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Nixon, Conway, Morrell, Bailey, Campbell, McCoy, Green, Rodne, Springer, McCune, Kilmer, Moeller, and P. Sullivan)

Updating veterans' provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the definition of veteran.

-- 2006 REGULAR SESSION --

- Jan 20 SGOA - Majority; 1st substitute bill be substituted, do pass.
Jan 24 Placed on second reading.

HB 2790-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Rodne, O'Brien, Woods, Ericks, Hinkle, Kessler, Simpson, and Darneille)

Providing advisory sentencing guidelines.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides advisory sentencing guidelines.

Declares an intent to restore the ability to impose an aggravated sentence lost by the superior court as a result of the decision of the United States supreme court in *Blakely v. State of Washington*, 542 U.S. 296 (2004). The legislature finds that as the seriousness level of the crime

and the criminal history of the offender increase, the need for an individualized and informed assessment of the circumstances of the crime, the offender, and the victim, by the judiciary, is necessary for justice to be obtained. The legislature further finds that the exercise of the judiciary's sentencing discretion over a broader range based upon the assessment of these circumstances is consistent with the policies supporting Washington's sentencing reform act.

-- 2006 REGULAR SESSION --

- Jan 20 CJC - Majority; 1st substitute bill be substituted, do pass.
Jan 24 Referred to Appropriations.

HB 2967-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Green, Sells, Appleton, McCoy, P. Sullivan, Kenney, and Takko)

Responding to drug crimes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Responds to drug crimes by providing increased support for enforcement and prosecution of drug crimes, authorizing the use of drug courts by juvenile courts, clarifying provisions related to sentence enhancements for certain drug crimes, modifying earned early release provisions related to offenders sentenced under RCW 9.94A.660, improving judges' abilities to make informed sentencing decisions, and undertaking studies related to criminal justice.

Appropriates the sum of four million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the Washington state patrol for the sole purposes of providing funding for multijurisdictional drug task forces and local government drug prosecution assistance.

-- 2006 REGULAR SESSION --

- Jan 20 CJC - Majority; 1st substitute bill be substituted, do pass.
Jan 24 Referred to Appropriations.

HB 3167 by Representatives Clements and Morrell

Regulating small loans.

Establishes provisions for regulating small loans.

-- 2006 REGULAR SESSION --

- Jan 24 First reading, referred to Financial Institutions & Insurance.

HB 3168 by Representatives Miloscia, Priest, McDonald, Chase, Santos, Rodne, and O'Brien

Protecting persons with developmental disabilities.

Protects persons with developmental disabilities from perpetrators who commit their crimes while providing transportation, within the course of their employment, to persons with developmental disabilities.

-- 2006 REGULAR SESSION --

- Jan 24 First reading, referred to Criminal Justice & Corrections.

HB 3169 by Representatives Buck, Linville, Pearson, B. Sullivan, Dunn, Blake, Kristiansen, Takko,

Strow, Bailey, Kessler, Alexander, Armstrong, Ericksen, and Haigh

Establishing a flood damage relief program.

Directs the department of community, trade, and economic development to establish a flood damage relief program to provide financial assistance to individuals, businesses, and local governments that have experienced flood damage. The department shall establish criteria for awarding grants for emergency repair and cleanup activities as a result of flood damage. The criteria must include, but is not limited to: (1) The availability of other sources of financial assistance including other state or federal disaster assistance;

- (2) The extent of the damage;
- (3) Matching funds that may be available; and
- (4) The financial need of the applicant.

Appropriates the sum of five million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the department of community, trade, and economic development for the purposes of this act.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Economic Development, Agriculture & Trade.

HB 3170 by Representatives B. Sullivan, Morris, Simpson, Haler, Lovick, Wallace, Wood, Clibborn, Uptegrove, Linville, Jarrett, Fromhold, Conway, Hankins, Kretz, O'Brien, Kristiansen, Springer, Sells, Buri, Anderson, Ericks, and Chase

Designating state route number 5 as Washington hydrogen highway.

Designates state route number 5 as Washington hydrogen highway.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Transportation.

HB 3171 by Representatives Nixon, Cody, Jarrett, O'Brien, Darneille, Roberts, Tom, McDermott, Kagi, Morrell, and Wood

Creating a commission on psychoactive substance control.

Creates a commission on psychoactive substance control to investigate and make recommendations for alternative regulatory approaches to the production, distribution, and control of psychoactive substances with the objective of reducing crime, enhancing public health, protecting children, and promoting efficient use of scarce public resources.

Requires the commission to report its recommendations to the legislature by December 1, 2007.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Health Care.

HB 3172 by Representatives Anderson, Rodne, and Morrell

Penalizing persons who transmit unsolicited facsimiles.

Provides that a person who violates this act is subject to: (1) A cease and desist order; and

(2) An administrative fine of not less than five hundred dollars or more than one thousand dollars for each separate violation. For purposes of this act, each page of an

unsolicited facsimile message may constitute a separate violation.

Provides that a person who intentionally violates this act is guilty of a misdemeanor punishable according to chapter 9A.20 RCW and by a mandatory fine of up to one thousand dollars per violation. For purposes of this act, a person has intentionally violated this section if the attorney general has previously notified the person by certified mail that he or she is in violation of this act.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Technology, Energy & Communications.

HB 3173 by Representatives Anderson, Rodne, McDonald, and O'Brien

Authorizing employer tax incentives for the employment of students in math and science programs.

Authorizes employer tax incentives for the employment of students in math and science programs.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Finance.

HB 3174 by Representatives Hinkle and Curtis

Concerning grants awarded by the life sciences discovery authority.

Declares that the authority is prohibited from awarding any grant for which the grant funding would be used for:

- (1) Any research or activity involving human cloning;
- (2) Induced abortion in humans performed after the effective date of this act or the use of cells or tissues derived therefrom;

(3) Knowingly conducting destructive research on a human embryo or transferring a human embryo with the knowledge that such an embryo will be subjected to destructive research or transferring gametes with the knowledge that a human embryo will be produced from the gametes to be used in destructive research;

(4) Human-animal hybrids; or

(5) Any research or activity the federal funding of which would be contrary to federal laws that are in effect on the effective date of this act.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Technology, Energy & Communications.

HB 3175 by Representatives Hinkle and Dunn

Requiring the election of judges at the general election.

Requires the election of judges at the general election.

Declares that this act takes effect January 1, 2007, if the proposed amendment to Article IV, section 29 of the state Constitution (HJR ...) is validly submitted to and is approved and ratified by the voters at a general election held in November 2006. If the proposed amendment is not approved and ratified, this act is void in its entirety.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Judiciary.

HB 3176 by Representatives Kirby, Kretz, Condotta, Hinkle, Grant, McDonald, Kessler, Serben,

Ahern, Armstrong, Holmquist, Sump, Newhouse, McCune, and Dunn

Changing taxation of punch boards and pull-tabs.

Provides that, at the option of the county, city-county, city, or town, the taxation of punch boards and pull-tabs for commercial stimulant operators may be based on the gross receipts from the operation of the games, and may not exceed a rate of two and one-half percent, or may be based on gross receipts from the operation of the games less the amount awarded as cash or merchandise prizes, and may not exceed a rate of five percent.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Commerce & Labor.

HB 3177 by Representatives Hunter, Holmquist, Schindler, Serben, and Ahern

Integrating HVAC/R mechanics and contractors into the provisions governing plumbers.

Integrates HVAC/R mechanics and contractors into the provisions governing plumbers.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Commerce & Labor.

HB 3178 by Representatives Murray and Woods; by request of Department of Transportation

Concerning collective bargaining by state ferry employees. Revises provisions concerning collective bargaining by state ferry employees.

Repeals RCW 47.64.180, 47.64.190, and 47.64.240.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Commerce & Labor.

HB 3179 by Representatives Murray and Woods; by request of Governor Gregoire

Refining the roles of the transportation commission and department of transportation.

Revises the roles of the transportation commission and department of transportation.

Appropriates the sum of four hundred fifty thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the multimodal transportation account to the office of financial management for the purposes of this act.

Repeals RCW 47.01.012 and 47.01.330.

Repeals provisions of chapter 44.75 RCW.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Transportation.

HB 3180 by Representatives Haigh, Nixon, Hudgins, Jarrett, Cody, Haler, Santos, and Morrell

Applying whistleblower and discrimination provisions to contractors who hold contracts with the state.

Applies whistleblower and discrimination provisions to contractors who hold contracts with the state.

-- 2006 REGULAR SESSION --
Jan 24 First reading, referred to State Government Operations & Accountability.

HB 3181 by Representatives Tom, O'Brien, Roach, Ericks, Serben, and Newhouse

Offering insureds a choice of automobile liability insurance policies.

Provides that an insurer authorized to write automobile liability insurance policies may offer an automobile liability insurance policy that includes cost-savings claims settlement features if the insurer allows the insured the choice of: (1) A policy that includes cost-savings claims settlement features; and

(2) A policy that offers comprehensive settlement features.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Financial Institutions & Insurance.

HB 3182 by Representatives Pettigrew and Santos

Concerning tribal foster care licensing.

Recognizes the ability of the Indian tribes within the state to enter into agreements with the state to license agencies located on or near the federally recognized Indian reservation to receive children for control, care, and maintenance outside their own homes, or to place, receive, arrange the placement of, or assist in the placement of children for foster care.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Children & Family Services.

HB 3183 by Representatives Fromhold and Hasegawa; by request of Select Committee on Pension Policy

Replacing public pension gain-sharing provisions with certain changes in benefits for the teachers' retirement system, the school employees' retirement system, and the public employees' retirement system.

Replaces public pension gain-sharing provisions with certain changes in benefits for the teachers' retirement system, the school employees' retirement system, and the public employees' retirement system.

Repeals RCW 41.31.010, 41.31.020, 41.31.030, 41.31A.010, 41.31A.020, 41.31A.030, and 41.31A.040.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Appropriations.

HB 3184 by Representatives McCoy and Santos

Restricting the use of cellular devices.

Provides that cellular devices shall not be used by a driver who has possessed an intermediate license for six months or less while the car is in the flow of traffic.

Provides that, after the six-month period, cellular devices shall not be used by a driver without hands-free devices while the car is in the flow of traffic.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Transportation.

HB 3185 by Representative McCoy

Concerning violations of wage payment requirements.

Authorizes the department to issue to an employer a citation and notice of assessment for a violation of a wage payment requirement. The department may order the employer to pay employees all wages owed, including interest of one percent per month on all wages owed, to the employee. If the department determines that the violation of the wage payment requirement was a willful violation, the department also may order the employer to pay the department a civil penalty as specified in this act.

Provides that a civil penalty for a willful violation of a wage payment requirement shall be not less than five hundred dollars or an amount equal to ten percent of the total amount of unpaid wages, whichever is greater. The maximum civil penalty for a willful violation of a wage payment requirement shall be twenty thousand dollars.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Commerce & Labor.

HB 3186 by Representatives Dickerson and Rodne

Modifying disposition orders.

Provides that, the court, on its own motion or upon the motion of any party, whether or not the respondent has violated any terms of the order of disposition, may modify the order of disposition for good cause shown, so long as the modification does not result in any increased sanction or penalty. In determining whether good cause exists, the court shall consider the best interests of the respondent and the community.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Juvenile Justice & Family Law.

HB 3187 by Representatives Williams, Chase, and Wood

Creating a privilege for persons in communications media.

Provides that a person who, for the purpose of gathering, receiving, or processing information, is connected with, employed by, or engaged in a medium of communication that disseminates information to the public, shall not be required by a legislative, executive, or judicial officer or body, or any other authority having power to compel testimony or the production of evidence, to disclose, by subpoena or otherwise: (1) The source of any published or unpublished information obtained by the person in the course of gathering, receiving, or processing information for a medium of communication that disseminates information to the public; or

(2) Any unpublished information obtained or prepared by the person in the course of gathering, receiving, or processing information for a medium of communication that disseminates information to the public.

Declares that this act does not apply to a governmental entity or to an official or employee of a governmental entity while engaged in official duties.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Judiciary.

HB 3188 by Representatives B. Sullivan, Hinkle, Dunshee, and Buck

Transferring jurisdiction over conversion-related forest practices to local governments.

Transfers jurisdiction over conversion-related forest practices to local governments.

Requires each county, city, and town assuming regulation of forest practices as provided in RCW 76.09.240 (1) and (2) to adopt development regulations that: (1) Protect public resources, as defined in RCW 76.09.020, from material damage or the potential for material damage;

(2) Require appropriate approvals for all phases of the conversion of forest lands, including clearing and grading; and

(3) Are guided by the planning goals in RCW 36.70A.020 and by the purposes and policies of the forest practices act as set forth in RCW 76.09.010.

Provides that, if necessary, each county, city, or town that assumes regulation of forest practices under RCW 76.09.240 shall amend its comprehensive plan to ensure consistency between its comprehensive plan and development regulations.

Provides that, before a county, city, or town may regulate forest practices under RCW 76.09.240 (1) and (2), it shall update its development regulations as required by RCW 36.70A.130 and, if applicable, RCW 36.70A.215. Forest practices regulations adopted under RCW 76.09.240 (1) and (2) may be adopted as part of the legislative action taken under RCW 36.70A.130 or 36.70A.215.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Natural Resources, Ecology & Parks.

HB 3189 by Representatives Strow, Ericks, and O'Brien

Creating a front license plate exemption and law enforcement vehicle theft swat force account.

Provides that the operator of a vehicle is exempt from attaching a vehicle license number plate at the front of the vehicle if the operator agrees to pay a fee of seventy-five dollars to the department.

Creates the law enforcement vehicle theft account in the state treasury. All receipts from the front license plate exemption fee under RCW 46.16.240, minus reasonable administrative costs, must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for fighting vehicle theft.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Transportation.

HB 3190 by Representatives Wallace, Fromhold, Curtis, Orcutt, Moeller, and Dunn

Providing tax incentives to support the semiconductor cluster in the state.

Provides tax incentives to support the semiconductor cluster in the state.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Technology, Energy & Communications.

HB 3191 by Representatives Conway, Wood, and Morrell

Raising the exemption for nonprofit bingo operations from the gambling tax.

Increases the exemption for nonprofit bingo operations from the gambling tax.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Commerce & Labor.

HB 3192 by Representatives B. Sullivan, Ericks, and Sells

Authorizing a contract extension for reimbursement by property owners for street, road, and water or sewer projects.

Provides that the contract may allow for an extension of the fifteen-year period for an amount of time not to exceed the duration of time that any moratoria, phasing ordinance, or concurrency designation exists and restricts new developments from being applied for within the benefit area.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Local Government.

HB 3193 by Representatives Morris and Anderson

Collecting royalties for fossil fuel production.

Declares an intent to establish a methodology of collecting royalties for fossil fuel production in the state of Washington.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Technology, Energy & Communications.

House Joint Memorials

HJM 4037 by Representatives Nixon, O'Brien, Darneille, Tom, McDermott, Jarrett, Roberts, Schual-Berke, and Moeller

Requesting that Congress not interfere with a state's right to define legitimate medical practice.

Requests that Congress not interfere with a state's right to define legitimate medical practice, and not expand the Drug Enforcement Agency's regulatory authority over a physician's best medical judgment to prescribe necessary pain management medications in chronic and end-of-life care.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Health Care.

HJM 4038 by Representatives Hinkle, Cody, and Santos

Requesting that certified diabetes educators be added as Medicare providers.

Requests that the United States House of Representatives and the United States Senate enact Senate Bill 626 and House Bill 3612, known as the "Diabetes Self-Management Training Act." The Act will increase

access to diabetes care by adding certified diabetes educators to the current list of Medicare providers, thereby making certified diabetes educators billable providers.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Health Care.

HJM 4039 by Representative Kessler

Requesting Congress to delay the passport requirements of the Western Hemisphere Travel Initiative.

Requests that the passport requirements of the Western Hemisphere Travel Initiative be delayed until January 2009.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Economic Development, Agriculture & Trade.

House Joint Resolutions

HJR 4224 by Representatives Hinkle and Dunn

Amending the Constitution to require election of judges at the general election.

Proposes an amendment to the state Constitution to require election of judges at the general election.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Judiciary.

Senate Bills

SB 6156-S by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senator Fairley)

Requiring inspections of remodels to single-family residences.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that among the laudable purposes and objectives for adopting a state building code is the promotion of the health, safety, and welfare of homeowners who remodel or add to their homes.

Finds that such purposes are not met unless the state building code is effectively enforced through a comprehensive inspection program, which emphasizes inspections of remodels and additions to owner-occupied, single-family homes.

Declares that a county or city violates RCW 19.27.050 when the jurisdiction fails to provide: (1) An owner of record, who is remodeling or adding to an owner-occupied, single-family residence, a copy of the inspection schedule from the local permit issuing authority by regular mail; and

(2) A copy of the inspection schedule from the local permit issuing authority to the owner of record at the site of the first inspection required by the local permit issuing authority. The requirements of this provision only apply to remodels or additions to owner-occupied, single-family residences.

-- 2006 REGULAR SESSION --

Jan 23 FHC - Majority; 1st substitute bill be substituted, do pass.

- Passed to Rules Committee for second reading.
- SB 6183-S** by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Kastama)
- Creating provisions relating to the hepatitis C virus.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
 Declares an intent to establish a system to accurately monitor the incidence of hepatitis C in the state of Washington for the purposes of understanding, controlling, and reducing its occurrence, and directing appropriate resources to its treatment. To accomplish this, the legislature has determined that hepatitis C cases shall be reported to the department of health, and that a statewide population-based hepatitis C data base shall be established.
 Provides that the act shall be null and void if appropriations are not approved.
- 2006 REGULAR SESSION --
- Jan 23 HEA - Majority; 1st substitute bill be substituted, do pass.
 And refer to Ways & Means.
 Referred to Ways & Means.
- SB 6190-S** by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and Kline)
- Establishing a COPEs pilot project.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
 Establishes a twelve month, one county, community options program entry system pilot project. The purpose of the pilot project is to assist independent providers with the collection of community options program entry system client participation money.
 Directs the department of social and health services to report on the results of the pilot project to the appropriate committees of the legislature. The report must be in two phases. The first report must be made by December 1, 2006, and the final report must be made by June 1, 2007. The final report must include recommendations for funding a future program including a revenue neutral option, an analysis as to why participation is not being paid and any available solutions, and a comparison of collected amounts under the pilot project to collected amounts without the pilot project to determine whether the pilot project is cost-effective.
 Appropriates the sum of forty-nine thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the department of social and health services for the purposes of this act.
- 2006 REGULAR SESSION --
- Jan 23 HEA - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.
- SB 6375-S** by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler, Jacobsen, Honeyford, Shin, Morton, and Delvin)
- Creating an advisory committee to evaluate animal identification programs.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
 Requires the director of agriculture to convene an advisory committee composed of representatives from the various segments of the cattle industry that will be involved in the implementation of the state's component of the national animal identification program for animal health and disease trace-back purposes.
 Requires the advisory committee to evaluate the requirements of the federal program and examine approaches being taken by other states to implement the requirements, with an emphasis on neighboring states and the states that engage in the largest amount of trade in cattle with Washington, and evaluate demonstration projects that the department shall conduct at two or more facilities that handle large numbers of animals. The advisory committee shall make a recommendation on how the federal requirements should be implemented in Washington that includes recommended funding amounts and sources. In developing a funding proposal, the advisory committee shall consult with the office of financial management.
 Directs the department to submit a written report of the activities and recommendations of the advisory committee to the house of representatives and to the senate by December 1, 2006.
- 2006 REGULAR SESSION --
- Jan 23 ARED - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.
- SB 6436-S** by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators McAuliffe, Schmidt, Rockefeller, Eide, Weinstein, and Pridemore)
- Transferring duties of the reconstituted state board of education.
(DIGEST OF PROPOSED 1ST SUBSTITUTE)
 Transfers duties of the reconstituted state board of education.
 Declares that the purpose of this act is to address the remaining statutory responsibilities of the state board of education held before 2005. The legislature finds that some duties should be retained with the reconstituted board; many duties should be transferred to other agencies or organizations, primarily but not exclusively to the superintendent of public instruction; and some duties should be repealed. This act also corrects statutes to implement fully the transfer of responsibilities authorized in 2005.
- 2006 REGULAR SESSION --
- Jan 23 EKHE - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 And refer to Ways & Means.
 Referred to Ways & Means.
- SB 6475-S** by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators McAuliffe, Schmidt, Eide, Weinstein, Haugen,

Berkey, Kastama, Shin, Kohl-Welles, and Rasmussen; by request of Superintendent of Public Instruction)

Authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that, under RCW 28A.655.061, beginning in the 2006-07 school year, the superintendent of public instruction shall implement two objective alternative assessment methods for students to demonstrate achievement of the state standards in content areas in which the student did not meet the standard on the high school Washington assessment of student learning.

Provides that the alternative methods shall include: (1) A combination of a student's grades in applicable courses and the student's highest score on the high school Washington assessment of student learning; and

(2) An evaluation of a collection of work samples. The evaluation of the work samples shall be conducted at the state level or regionally under the supervision of the office of the superintendent of public instruction using uniform scoring criteria.

Directs the superintendent of public instruction to implement: (1) By June 1, 2006, a process for students to appeal the score they received on the high school assessment; and

(2) By January 1, 2007, guidelines and appeal processes for waiving specific requirements in RCW 28A.655.061 pertaining to the certificate of academic achievement and to the certificate of individual achievement for students who: (a) Transfer to a Washington public school in their junior or senior year with the intent of obtaining a public high school diploma, or (b) have special, unavoidable circumstances.

Requires the superintendent of public instruction to study the feasibility of using existing mathematics assessments in languages other than English as an additional alternative assessment option. The study shall include an estimation of the cost of translating the tenth grade mathematics assessment into other languages and scoring the assessments should they be implemented.

Requires the superintendent of public instruction to issue reports to the legislature by January 2007, on the results of the study in this act.

-- 2006 REGULAR SESSION --

Jan 23 EKHE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 6528-S by Senate Committee on Transportation (originally sponsored by Senators Mulliken, Kastama, Benson, Oke, Esser, Berkey, and Sheldon; by request of Department of Transportation)

Permitting roadside tire chain businesses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department to issue written permits authorizing permittees to install or remove tire chains on motor vehicles with the following conditions: (1) Chains may only be installed or removed at locations designated in the permit;

(2) Permittees must comply with terms and conditions in the permit relating to the safe and orderly movement of traffic; and

(3) Permittees may charge a fee to drivers for their services.

Provides that the department, in issuing a permit for the installation or removal of tire chains, assumes no responsibility for the actions, inactions, competence, or reliability of the permittee in performing those services and shall not be liable for the damages relating to acts or omissions of the permittees. The department shall adopt rules to implement this act, including requiring permittees to wear reflective clothing and use appropriate signage.

-- 2006 REGULAR SESSION --

Jan 23 TRAN - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 6791 by Senators Poulsen, Kohl-Welles, and Rockefeller

Allowing the sale of alcoholic beverages on state ferries.

Allows the sale of alcoholic beverages on state ferries.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Labor, Commerce, Research & Development.

SB 6792 by Senators Kastama, Fraser, Pridemore, and Rasmussen; by request of Department of Retirement Systems

Organizing the department of retirement systems.

Provides that the director shall have the authority to organize the department.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Government Operations & Elections.

SB 6793 by Senators Hargrove, Brown, Brandland, McAuliffe, Thibaudeau, Rockefeller, and Rasmussen

Specifying roles and responsibilities with respect to the treatment of persons with mental disorders.

Designates roles and responsibilities with respect to the treatment of persons with mental disorders.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Human Services & Corrections.

SB 6794 by Senators Haugen, Esser, Jacobsen, Mulliken, and Spanel; by request of Department of Transportation

Concerning collective bargaining by state ferry employees. Revises provisions concerning collective bargaining by state ferry employees.

Repeals RCW 47.64.180, 47.64.190, and 47.64.240.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Transportation.

SB 6795 by Senators Fraser and Rasmussen; by request of Select Committee on Pension Policy

Replacing public pension gain-sharing provisions with certain changes in benefits for the teachers' retirement

system, the school employees' retirement system, and the public employees' retirement system.

Replaces public pension gain-sharing provisions with certain changes in benefits for the teachers' retirement system, the school employees' retirement system, and the public employees' retirement system.

Repeals RCW 41.31.010, 41.31.020, 41.31.030, 41.31A.010, 41.31A.020, 41.31A.030, and 41.31A.040.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

SB 6796 by Senators Eide, Honeyford, Mulliken, and Rasmussen

Providing tax exemptions for amenities purchased by lodging businesses for use by guests.

Provides tax exemptions for amenities purchased by lodging businesses for use by guests.

Finds that, in October 2004, the court of appeals held in the *Mayflower Park Hotel* decision that hotels are not entitled to a resale exemption for tangible personal property which they purchase for the exclusive use and consumption of guests. A regulation of the department of revenue (WAC 458-20-166) reaches the same conclusion.

Finds that the court's decision and the department's regulation are inconsistent with the sales tax resale exemption and inconsistent with the way other similarly situated taxpayers are taxable under the same subsection of the law. Therefore, the legislature intends to overturn the *Mayflower Park Hotel* decision and departmental regulation and grant the lodging industry the resale exemption.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

SB 6797 by Senator Jacobsen

Establishing the Washington state employee disaster recovery task force.

Directs the Washington state employee disaster recovery task force to, upon convening, examine the findings and recommendations of the Weyerhaeuser handbook "Hurricane Katrina Rebuilding a Community: An Employer's Guide to Assisting Employees" and all other information that may be pertinent to disaster recovery for Washington state employees. The task force shall report its findings to the relevant committees of the legislature that deal with state and local government issues by December 1, 2006.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Government Operations & Elections.

SB 6798 by Senators Schoesler and Kastama

Describing the time period during which state officials may accept campaign contributions.

Designates the time period during which state officials may accept campaign contributions.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Government Operations & Elections.

SB 6799 by Senators Kohl-Welles and Franklin

Permitting wine and beer sales from manufacturers to retailers.

Declares that the purpose of this act is to grant certificate of approval holders the same distribution rights granted to domestic wineries under RCW 66.24.170 and to domestic breweries under RCW 66.24.240.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Labor, Commerce, Research & Development.

SB 6800 by Senators Haugen, Jacobsen, and Rockefeller; by request of Governor Gregoire

Refining the roles of the transportation commission and department of transportation.

Revises the roles of the transportation commission and department of transportation.

Appropriates the sum of four hundred fifty thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the multimodal transportation account to the office of financial management for the purposes of this act.

Repeals RCW 47.01.012 and 47.01.330.

Repeals provisions of chapter 44.75 RCW.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Transportation.

SB 6801 by Senators Benton, Schmidt, Schoesler, Swecker, Stevens, Roach, and Esser

Classifying financial institutions in robbery provisions.

Declares that evidence showing that the establishment robbed was a financial institution is not required when "bank," "savings and loan," "trust," "payday," or "credit union" appears in the name of the establishment.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Judiciary.

SB 6802 by Senator Brown

Regarding air pollution control authority boards.

Revises provisions relating to air pollution control authority boards.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Water, Energy & Environment.

SB 6803 by Senator Benson

Concerning hunter education.

Provides that, in addition to any program in existence on the effective date of this section, the director shall, by December 1, 2006, establish a program for the training of persons in the safe handling of firearms, conservation, and sportsmanship. Upon successful completion of a course of instruction under this program, a trainee must receive a hunter education certificate signed by an authorized instructor. The certificate is evidence of compliance with this act.

Requires that, in establishing the program under this act, the director must prescribe procedures for the

certification of instructors, approval of instruction methods, and approval of course materials.

Authorizes instructors certified under the program established under this act to profit from the teaching of hunter education courses. Fees charged under the program may not exceed fifty dollars per person, per course.

Provides that, by December 1, 2006, the director shall provide a report to the appropriate policy and fiscal committees of the senate and house of representatives detailing the substance and status of the program established under this act.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Natural Resources, Ocean & Recreation.

SB 6804 by Senator Benson

Encouraging volunteers to teach hunter education courses. Provides incentives for volunteers to teach hunter education courses.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Natural Resources, Ocean & Recreation.

SB 6805 by Senator Benson

Regarding certificated employees. Amends RCW 28A.645.010 and 28A.405.320 relating to certificated employees.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Early Learning, K-12 & Higher Education.

Senate Joint Memorials

SJM 8034 by Senators Benton and McCaslin

Requesting Washington's congressional delegation to support federal tax reform.

Requests Washington's congressional delegation to support federal tax reform.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

Senate Joint Resolutions

SJR 8223 by Senators Esser, Benton, Mulliken, Roach, Stevens, McCaslin, and Oke

Amending the Constitution to require voter approval of property taxes.

Proposes an amendment to the state Constitution to require voter approval of property taxes.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Ways & Means.

Senate Concurrent Resolutions

SCR 8417 by Senators Kohl-Welles, Prentice, Parlette, Kline, and Rasmussen

Establishing a committee on gambling policy setting.

Resolves that the joint select committee may make a preliminary progress report to the legislature no later than the end of the 2007 legislative session, and shall submit its final findings and recommendations to the legislature and the governor by January 1, 2008.

-- 2006 REGULAR SESSION --

Jan 24 First reading, referred to Labor, Commerce, Research & Development.